

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

KEVIN BREWER

CIVIL ACTION

VERSUS

NO. 10-1172

STATE OF LOUISIANA

SECTION "S"(1)

CERTIFICATE OF APPEALABILITY

Having separately issued a final order in connection with the captioned habeas corpus proceeding, in which the detention complained of arises out of process issued by a state court, the Court, after considering the record and the requirements of 28 U.S.C. § 2253 and Fed. R. App. P. 22(b), hereby orders that,

_____ a certificate of appealability shall be issued having found that petitioner has made a substantial showing of the denial of a constitutional right related to the following issue(s):

 X a certificate of appealability shall not be issued for the following reason(s):

The petitioner has not made a substantial showing of the denial of a constitutional right for the reasons stated in the report and recommendation of the magistrate judge which was adopted by this court in its order and reasons of June 1, 2010.

New Orleans, Louisiana, this 1st day of June , 2010.



UNITED STATES DISTRICT JUDGE